

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

U.S.A. vs. James Thomas Murphy

Docket No. 7:00-CR-74-2

Petition for Action on Supervised Release

COMES NOW Chip Williams, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of James Thomas Murphy, who, upon an earlier plea of guilty to Conspiracy to Distribute Heroin and Cocaine in violation of 21 U.S.C. § 846, was sentenced by the Honorable James C. Fox, Senior U.S. District Judge, on November 13, 2000, to the custody of the Bureau of Prisons for a term of 146 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
3. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days.
4. The defendant shall cooperate in the collection of DNA as directed by the probation officer.

James Thomas Murphy was released from custody on April 15, 2011, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On August 19, 2011, the defendant reported to the probation officer that he was experiencing depression. A review of the presentence report confirms a history of treatment for depression. Mr. Murphy is currently participating in substance abuse treatment. He is without full-time employment

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or health insurance. It is recommended the judgment to modified by the addition of a mental health treatment condition. Such would allow the probation office to assist the defendant in addressing his depression. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate in a program of mental health treatment, as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Kevin L. Connolley
Kevin L. Connolley
Supervising U.S. Probation Officer

/s/ Chip Williams
Chip Williams
U.S. Probation Officer
2 Princess Street, Suite 308
Wilmington, NC 28401-3958
Phone: 910-815-4857
Executed On: August 22, 2011

ORDER OF COURT

Considered and ordered this 22nd day of August, 2011, and ordered filed and made a part of the records in the above case.

James C. Fox
James C. Fox
Senior U.S. District Judge